

REMARKS

In response to the objection to the specification, applicant has amended the specification by inserting headings as appropriate. Applicant has also provided a fresh abstract. Applicant has amended the claims to remove terminology not customary in this country and to improve the claim language. Applicant has canceled claim 2 and incorporated its limitations into claim 1 and has clarified the spatial orientations of the claimed structure by reference to directions when the prosthesis is in an implanted position. No new matter has been added. Withdrawal of the objection to the specification and the rejection of claims 1-5 under 35 USC 112, second paragraph, is respectfully requested.

Claims 1-5 stand rejected as anticipated by Marnay. The Examiner reads Marnay as disclosing a prosthesis core 50 that is connected to cover plate 30 by connection profiles 33, 34, referring to Figs. 10, 11 and 13 and paragraphs [0041] – [0052] of Marnay for support. This rejection and its supporting reasoning are respectfully traversed.

Marnay does not teach or suggest the aspect of the claimed structure of “at least one pair of substantially straight profile sections which are disposed symmetrically with respect to an anterior-posterior direction of the prosthesis in an implanted position and are arranged at an angle to one another.” Applicant’s Figs. 3 and 5 show connection profiles 9, 16, the former on the cover plate and the latter on the prosthesis core, which are substantially straight and form an angle α symmetrically around the imaginary line 10 showing the anterior-posterior (AP) direction of the assembled prosthesis in its implanted position. Marnay, by comparison, shows a single flat surface 35 that is orthogonal to the AP direction, not the two substantially straight profile sections that are arranged at an angle as claimed. Marnay discloses no reason to provide such angled straight profile sections at all. This point alone disposes of the rejection of claims 1 and 5.

Marnay also fails to meet claims 3 and 4 as they stood prior to the amendments above. The Action does not explain how Marnay discloses the connection profiles on the dorsal side of

the assembled prosthesis that are held in engagement by a structure on the ventral side of the prosthesis as recited by claim 3 or how Marnay shows the additional lateral profile sections of claim 4 in combination with the structure of claim 3.

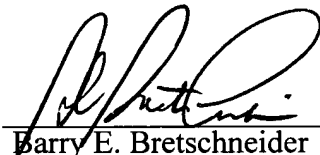
For these reasons, Marnay neither anticipates nor renders obvious the subject matter of claims 1 and 3-5. Early action allowing claims 1 and 3-5 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 246472005200.

Respectfully submitted,

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